APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,119	06/23/2003	Jun Fujisawa	03500.000035	9105

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EXAMINER
ZHENG, JACKY X

ART UNIT	PAPER NUMBER
2625	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/602,119	FUJISAWA ET AL.
	Examiner	**Art Unit**	
	Jacky X. Zheng	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>20 June 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>2,4-10,12-14,17,18,20,22-28,30-32,35,36,38,39,41 and 43-45</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>2, 4-10, 12-14, 17, 18, 20, 22-28, 30-32, 35, 36, 38, 39, 41 and 43-45</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>June 23, 2003</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All b)☐ Some * c)☐ None of:

        1.☒ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This office action is in response to applicant's amendments and remarks filed on June 20,

2007.

2.   **Claims 2, 4, 5, 7, 9, 12, 20, 22, 36, 38, 39 and 41** have been amended.

3.   **Claims 1, 3, 11, 15, 16, 19, 21, 29, 33, 34, 37, 40 and 42** have been cancelled.

4.   **Claims 43-45** are newly added for consideration.

5.   **Claims 2, 4-10, 12-14, 17, 18, 20, 22-28, 30-32, 35, 36, 38, 39, 41 and 43-45** are

currently pending.

6.   The objection to "ABSTRACT" is <u>withdrawn</u> in view of Applicant's amendment.

7.   The objection to "TITILE" is <u>withdrawn</u> in view of Applicant's amendment with a new

title.

8.   The rejections under 35 U.S.C. §112, Second Paragraph, to Claims 1, 3-16, 33-34 and 21-

36 are <u>withdrawn</u> in view of Applicant's amendments and cancellations to the claims.

Claim Rejections - 35 USC § 112

9.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
> subject matter which the applicant regards as his invention.

10.   <u>**Claims 39, 41, and 43-45**</u> are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

11.   Claim 39 recites the limitations of "the commands" (on line 6 of instant claim), "the other

commands" (line 9), and "the commands" (line 10). It is unclear that such limitations are either

referring to: the trimming command, the enlarging command, the rotating command, all of above, or any combination of two. Identical issues are also found in claim 41. Further clarification is required.

12.   Claim 39 recites the limitation "the order of inputting" in line 10. There is insufficient antecedent basis for this limitation in the claim. It is unclear if intended to refer to the limitation of "an order of execution of the commands" previously stated on line 7. Identical issues are also found in claim 41. Further clarification is required and consistent phraseology is respectfully suggested.

13.   Claim 43 recites the limitation "the order" in line 2 of Page 15. There is insufficient antecedent basis for this limitation in the claim. Identical issue is also found in claims 44 and 45. Further clarification is required.

14.   Claim 43 recites the limitations of "the other commands" in line 3 of Page 15. It is unclear that such a limitation is either referring to two or more commands, such as: "a size designating command" and "a trimming command"; or only referring to "a size designating command" previously mentioned in the claim other than "a trimming command". Identical issues are found in claims 44-45. Further clarification is required.

Claim Rejections - 35 USC § 103

15.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

16.   **Claims 2, 4-10, 12-14, 17-18, 20, 22-28, 30-32, 35-36, 38-39, 41 and 43-45** are rejected

under 35 U.S.C. 103(a) as being unpatentable over **Venable (U.S. 6,557,017)** and further in

views of **Kawamoto et al. (U.S. 5,978,563)**, **Tanimoto (U.S. 2003/0005045)**, and **Epstein et al.**

(U.S. Pub. No. 2002/0085767 A1).

       With regard to claims 2, 4-10, 12-14 and 17-18, the claims are drawn to an image

forming apparatus that processes data described in a predetermined descriptive language. In

addition, the independent claim 2 further recites the limitations of *"wherein the image forming*

information includes image trimming information, wherein the image forming information

interpreting module includes an image trimming information interpreting module that interprets

the obtained image trimming information, wherein the image forming processing module

includes an image trimming processing module that renders a trimming processing on the image

data based on the interpreted image trimming information, and wherein the image trimming

processing module executes the trimming processing prior to execution of any of a flipping

processing, a rotation processing, and an image aspect ratio maintaining processing", originally

recited in claims 3 and 11 (which are currently cancelled), and limitations originally recited in

claim 11 are rephrased in a form of <u>different</u> scope, requiring "the trimming processing" to be

prior to "execution of <u>any</u> of" a flipping, rotation and aspect ratio maintaining processing.

       <u>Venable</u> discloses an invention relates to an image processor or generator for representing

a complex color raster image as a collection of objects in a hierarchical and device independent

format, including the ability to change the syntax of the Structured Image Definition Language

(SIDL), the ability to change image processing systems and etc. *(See <u>Venable</u>, "Background of*

Invention"), further disclose "means for generating a representation of at least one raster image

using at least one output structured image capable of being displayed or printed *(See Column 5, lines 55-58)*, and generating of the output structured image as a result of performing "at least one image processing operation" and the adjusting of the "image attribute" *(See Column 5, lines 59-65)*. Venable specifically disclose the limitations of the image processing operations, such as the operations of: maintaining of the aspect ratio of the image *(See Figure 4 for detailed illustration, and i.e. Column 11, line 55 – Column 12, line 8)*, performing rotation of the image with an numeric value indicating the degree of the angle *(See Figure 8 for detailed illustration, Column 17, line 5)*, flipping (or mirroring) of an image in "X or Y axis" (horizontally or vertically) *(See Column 19, lines 6-8, Column 17, line 7)*, trimming (or cropping) of an image *(See Column 17, lines 59-60)*. Additionally, Venable also discloses that "a printer" can be utilized for outputting "the SI data" *(See Column 7, lines 31-32)*.

Venable does not *explicitly* disclose the limitations of: performing the image processing operations in sequential order; and "the descriptive language" being in "XML (Extensible Markup Language) standard", "SVG (Scalable Vector Graphics) standard" and "XHTML (Extensible Hyper Text Markup Language) standard".

However, Kawamoto et al. disclose the limitation of performing the image processing operations in a sequential order; specifically, Kawamoto et al. disclose the limitations of utilizing "page-description languages" capable of "freely controlling the enlargement, reduction, rotation, and deformation of character or graphics" *(See Kawamoto et al., Column 1, lines 18-27)*, and "a document syntax analyzing means" that analyzes the stream of *command sequence (See i.e. Column 3, lines 12-18)* and "counting the order of command sequences output from the syntax analyzing means" *(Column 3, lines 53-58)*.

Therefore it would have been obvious to one of ordinary skill in the art at the time of

invention to have modified Venable to include the limitations of performing the image

processing operations in sequential order taught by Kawamoto et al. It would have been obvious

to one of ordinary skill in the art at the time of invention to have modified Venable by the

teachings of Kawamoto et al. to include the limitations of performing the image processing

operations in sequential order taught by Kawamoto et al. *for forming an accurate image (Column*

3, line 65 – Column 4, line 3).

Venable and Kawamoto et al. do not *explicitly* disclose the limitation of: *"wherein the*

image trimming processing module executes the trimming processing prior to execution of any of

a flipping processing, a rotation processing, and an image aspect ratio maintaining processing",

"the descriptive language" being in "XML (Extensible Markup Language) standard", "SVG

(Scalable Vector Graphics) standard" and "XHTML (Extensible Hyper Text Markup Language)

standard".

However, Epstein et al. disclose an invention relates to the same field of endeavor of

image processing, particularly to manipulation of digitized images, such as rotating, cropping,

and zooming, prior to printing or displaying the image in a final form (See Epstein et al., i.e.

Paragraph [0001]). Epstein et al. particularly disclose a teaching of "image may first be cropped

(or trimmed)… before further manipulation such as rotation of the image is performed…" (i.e.

Paragraph [0038]).

Therefore it would have been obvious to one of ordinary skill in the art at the time of

invention to have modified the teachings of Venable and Kawamoto et al. to include the

limitation of *"wherein the image trimming processing module executes the trimming processing prior to execution of any of a flipping processing, a rotation processing, and an image aspect ratio maintaining processing"* taught by Epstein et al. It would have been obvious to one of ordinary skill in the art at the time of invention to have modified the teachings of Venable and Kawamoto et al. by the teachings of Epstein et al. to include the limitation of *"wherein the image trimming processing module executes the trimming processing prior to execution of any of a flipping processing, a rotation processing, and an image aspect ratio maintaining processing"* taught by Epstein et al., *for the purpose of "efficiently locate selected image areas... and perform the requested image manipulation operation on the affected image areas"(i.e. Paragraph [0038].*

Venable, Kawamoto et al. and Epstein et al. do not *explicitly* disclose the limitation of "the descriptive language" being in "XML (Extensible Markup Language) standard", "SVG (Scalable Vector Graphics) standard" and "XHTML (Extensible Hyper Text Markup Language) standard".

However, Tanimoto discloses the limitations of "the descriptive language" being in "XML (Extensible Markup Language) standard", "SVG (Scalable Vector Graphics) standard" and "XHTML (Extensible Hyper Text Markup Language) standard" among other limitations. Tanimoto specifically disclose that "XML, SVG, XHTML ad Voice XML are characteristically capable of defining an attribute name related to structured data" *(See Tanimoto, Paragraphs [0006] – [0009]).*

Therefore it would have been obvious to one of ordinary skill in the art at the time of

invention to have modified the teachings of Venable, Kawamoto et al. and Epstein et al. to

include the limitations of "the descriptive language" being in "XML (Extensible Markup

Language) standard", "SVG (Scalable Vector Graphics) standard" and "XHTML (Extensible

Hyper Text Markup Language) standard" taught by Tanimoto. It would have been obvious to

one of ordinary skill in the art at the time of invention to have modified the teachings of Venable,

Kawamoto et al. and Epstein et al. by the teachings of Tanimoto to include the limitations of "the

descriptive language" being in "XML (Extensible Markup Language) standard", "SVG (Scalable

Vector Graphics) standard" and "XHTML (Extensible Hyper Text Markup Language) standard"

taught by Tanimoto *for the convenience of data processing, and easily rendering of the image*

data (See Tanimoto, Paragraphs [0007] & [0008]).

With regard to claims 20, 22-28, 30-32 and 35-36, the claims are drawn to an image

forming method that processes data described in a predetermined descriptive language,

comprising the *identical* limitations recited in claims 2, 4-10, 12-14 and 17-18 above *(The claims*

are rejected under the same ground for at least the reasons set forth above. See the detailed

discussion of the claims 2, 4-10, 12-14 and 17-18 above).

With regard to claim 38, the claim is drawn to a computer readable storage medium that

stores an image forming program, comprising the *identical* limitations recited in claims 2 and 20

respectively above *(The claims are rejected under the same ground for at least the reasons set*

forth above. See the detailed discussion of the claims 2 and 20 above. Furthermore, Kawamoto

et al., the limitation of implementation of computer program product that runs on computer to carry out the raster graphics processing, See i.e. Column 4, lines 38-65).

With regard to claim 39, the claim is drawn to an image forming <u>apparatus</u> which interprets command to process forming of an image and executes said commands, comprising the *identical* limitations in a <u>form of broader scope</u> as recited in claims 2 above *(The claim is rejected under the same ground for at least the reasons set forth above. See the detailed discussion of the claims 2 above. Furthermore, <u>Kawamoto et al.</u> disclose the utilization of the information of the command sequence as discussed above; <u>Epstein et al.</u> particularly disclose the limitation of perform cropping operation prior to further image manipulation processes, such as rotation, see above for detailed discussions).*

With regard to claim 41, the claim is drawn to an image forming <u>method</u> which interprets command to process forming of an image and executes said commands, comprising the *identical* limitations recited in claim 39 above *(The claim is rejected under the same ground for at least the reasons set forth above. See the detailed discussion of the claims mentioned above).*

With regard to claim 43 (newly added), the claim is drawn to an image forming <u>apparatus</u> comprising the substantially *identical* limitations in a <u>form of broader scope</u> as recited in claims 2, 4-10, 12-14, 17-18 and 39 above *(The claim is rejected under the same ground for at least the reasons set forth above. See the detailed discussion of the claims 2, 4-10, 12-14, 17-18 and 39 above).*

With regard to claim 44 (newly added), the claim is drawn to an image forming <u>method</u> comprising the substantially *identical* limitations in claim 43 above *(The claim is rejected under*

the same ground for at least the reasons set forth above. See the detailed discussion of the claim 43 above).

With regard to claim 45 (newly added), the claim is drawn to a computer-readable storage medium that stores a program for causing an apparatus to execute an image forming method comprising the substantially *identical* limitations in claims 43 and 44 above *(The claims are rejected under the same ground for at least the reasons set forth above. See the detailed discussion of the claims 43 and 44 above).*

Response to Arguments

17.   Applicant's arguments with respect to **claims 2, 4-10, 12-14, 17-18, 20, 22-28, 30-32, 35-36, 38-39, 41 and 43-45** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

18.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

   A. Hino (U.S. Patent No. 2002/0036788, CANON) disclose an image processing apparatus processes a document described in a structured description language to generate an image.

   B. Ohmori (U.S. Patent No. 6,822,765, CANON, IDS Corresponding Patent Publication) disclose an image processing apparatus, utilized in information conformation by a user.

C. Koh et al. (U.S. Patent No. 6,624,910, CANON) disclose an image forming method and apparatus.

D. Mori et al. (U.S. Patent No. 7,046,385, CANON) disclose a print control method and apparatus, a medium in a document processing system for providing an *edit function for document data generated by a document processing program, for example.*

E. Nagasaka (U.S. Patent No. 5,511,156) disclose an invention relates to the rasterized processing for obtaining printing picture element information from *a source file described in a page description language.*

F. Hanamoto (U.S. Pub. No. 2002/0019833, CANON) disclose a data editing apparatus and method.

G. Huang (U.S. Pub. No. 2001/0032218) disclose a method and apparatus for utilizing document type definition to generate structured documents.

H. Rumph et al. (U.S. Patent No. 6,671,064) disclose an object optimized printing system and method.

I. Adachi et al. (U.S. Patent No. 5,768,489 disclose a printing processing system and method.

J. Venable et al. (U.S. Patent No. 5,485,568) disclose a structured image (SI) format for describing complex color raster images.

K. Kanno (U.S. Patent No. 4,667,248) disclose a document image-editing device.

L. Motoyama (U.S. Patent No. 5,353,388) disclose a system and method for document processing.

19.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this
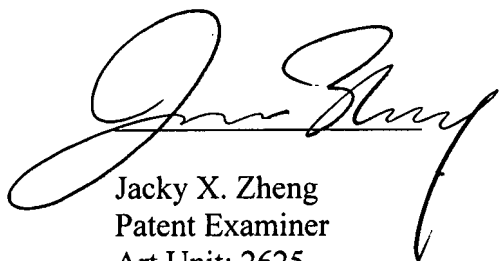
final action.

20.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Jacky X. Zheng whose telephone number is (571) 270-1122. The

examiner can *normally* be reached on Monday-Friday, 7:30 a.m.-5p.m., Alt. Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Twyler M. Lamb can be reached on (571) 272-7406. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jacky X. Zheng
Patent Examiner
Art Unit: 2625
August 22, 2007

TWYLER LAMB
SUPERVISORY PATENT EXAMINER